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4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA  
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7 HAYDEN BEAULIEU,

8 Plaintiff,

9 v.

10 EDMUND G. BROWN,

11 Defendant(s).

Case No. [18-cv-02376-CRB](#) (PR)

**ORDER OF DISMISSAL  
WITHOUT PREJUDICE**

(ECF Nos. 2 & 4)

12  
13 Plaintiff has filed a “notice of voluntary withdrawal” of the instant pro se prisoner action.  
14 The notice is construed as a notice of voluntary dismissal under Federal Rule of Civil Procedure  
15 41(a)(1)(A)(i) and, pursuant thereto, the action is DISMISSED without prejudice. See American  
16 Soccer Co. v. Score First Enters., 187 F.3d 1108, 1110 (9th Cir. 1999) (plaintiff’s “absolute right”  
17 to dismiss his action voluntarily before defendants serve answer or motion for summary judgment  
leaves no role for court to play).

18 But based solely on plaintiff’s affidavit of poverty, his pending motion for leave to proceed  
19 in forma pauperis under 28 U.S.C. § 1915 (ECF Nos. 2 & 4) is GRANTED.

20 The clerk is directed to close the case and terminate all pending motions as moot.

21 **IT IS SO ORDERED.**

22 Dated: June 15, 2018

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24 CHARLES R. BREYER  
25 United States District Judge  
26  
27  
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2 UNITED STATES DISTRICT COURT  
3 NORTHERN DISTRICT OF CALIFORNIA

4 HAYDEN BEAULIEU,  
5 Plaintiff,

6 v.

7 EDMUND G. BROWN,  
8 Defendant.  
9

Case No. 3:18-cv-02376-CRB

**CERTIFICATE OF SERVICE**


10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S.  
11 District Court, Northern District of California.  
12

13 That on June 15, 2018, I SERVED a true and correct copy(ies) of the attached, by placing  
14 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by  
15 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery  
16 receptacle located in the Clerk's office.  
17

18 Hayden Beaulieu  
19 #A-2024  
20 2500 Fairmont Drive  
San Leandro, CA 94578

21 Dated: June 15, 2018  
22

23 Susan Y. Soong  
24 Clerk, United States District Court

25 By:  \_\_\_\_\_  
26 Lashanda Scott, Deputy Clerk to the  
27 Honorable CHARLES R. BREYER  
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